

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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VICTOR RODRIGUEZ,

Petitioner,

-against-

ROBERT ERCOLE, SUPERINTENDENT,  
GREEN HAVEN CORRECTIONAL  
FACILITY,

Respondent.  
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MEMORANDUM  
AND ORDER

08-CV-3745 (NG)

ROANNE L. MANN, UNITED STATES MAGISTRATE JUDGE:

On the record and by Minute Order dated May 5, 2010, the Court directed respondent, among other things, to produce Officer Riggio's disciplinary records, for *in camera* inspection, by May 19, 2010. The documents produced by respondent did not appear to include any disciplinary records, prompting the Court to issue another order, on May 25, 2010, directing that respondent produce the aforesaid disciplinary records by June 2, 2010. Respondent again failed to do so. Instead, counsel for respondent filed a letter dated June 2, 2010, stating that she was awaiting receipt of Officer Riggio's "resume," which apparently is a *summary* of his disciplinary charges.

Respondent has had ample time to produce the disciplinary *file*, which was to have been provided to the Court by May 19, 2010 and, when not forthcoming, by June 2, 2010. If the discovery file is not in Chambers by June 22, 2010, sanctions will be imposed.

**SO ORDERED.**

**Dated: Brooklyn, New York  
June 14, 2010**

**ROANNE L. MANN  
UNITED STATES MAGISTRATE JUDGE**